

1 **SEC. 10. State or any municipality to have authority to execute**
 2 **leases.** The state or any municipality is hereby authorized to enter
 3 into a gas or oil lease upon such terms as may be agreed upon, subject
 4 to the approval of the district court of the county in which the land is
 5 located, upon filing an application in the district court of such county
 6 and by giving notice to the public by publishing a notice of the said
 7 application for four (4) weeks in the newspaper designated for legal
 8 publications in said county stating the time and place where said
 9 application will come on for hearing and that objections thereto will
 10 be heard at such time.

1 **SEC. 11. Invalidation.** If any section, subsection, paragraph or
 2 provision of this Act shall be held to be invalid by any court for any
 3 reason, it shall be presumed that this Act would have been passed by
 4 the legislature without such invalid section, subsection, paragraph or
 5 provision, and such finding shall not in any way affect the remainder
 6 of this Act.

Approved April 24, 1939.

CHAPTER 64

UNEMPLOYMENT COMPENSATION

S. F. 101

AN ACT to amend the law as it appears in chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to specify and define certain disqualifications for unemployment benefits; to designate and describe employees engaged in their respective customary self-employments; and to repeal all acts, or parts of acts, in conflict herewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 **SECTION 1.** That the law as it appears in the first twenty-two (22)
 2 lines of section five (5), chapter one hundred two (102), Acts of the
 3 Forty-Seventh General Assembly of Iowa, be and the same is hereby
 4 repealed, and that the following lines be enacted in lieu thereof:

5 “**SEC. 5.** An individual shall be disqualified for benefits:

6 5(a). If he has left his work voluntarily without good cause attrib-
 7 utable to his employer, if so found by the commission.

8 5(b). If the commission shall find that he has been discharged for
 9 misconduct in connection with his employment, his weekly benefits
 10 shall then be paid by the commission into the Unemployment Compens-
 11 ation Fund for the week in which he was discharged and for not less
 12 than the two nor more than the nine (9) weeks which immediately fol-
 13 low such week (in addition to the waiting period), as determined by
 14 the commission in each case according to the circumstances and seri-
 15 ousness of the misconduct. The balance of such weekly benefit shall
 16 be paid to him.

17 5(c). If the commission finds that he has failed, without good
 18 cause, either to apply for available, suitable work when so directed by
 19 the employment office or the commission or to accept suitable work
 20 when offered him, or to return to his customary self-employment, if
 21 any.”

1 SEC. 2. That the law as it appears in section nineteen (19), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof and as subsection 19(s), the following:

5 "19(s). An employee shall be deemed to be engaged in 'his custom-
6 ary self-employment', as said words are used in section five (5), during
7 the periods in which he customarily devotes the major portion of his
8 working time and efforts: (1) to his individual enterprises and inter-
9 ests; or (2) to her duties as housewife; or (3) to attending classes and
10 preparing his studies for any school or college."

1 SEC. 3. All Acts, or parts of Acts, in conflict herewith are hereby
2 repealed in so far as they are inconsistent with any of the provisions
3 of this Act.

Approved April 24, 1939.

CHAPTER 65

UNEMPLOYMENT COMPENSATION

S. F. 103

AN ACT to amend the law as it appears in chapter one hundred two (102), Acts of the Forty-seventh General Assembly of Iowa, relating to unemployment compensation; to modify the law providing for appeal and judicial review of disputed claims; to clarify the definition of the term "employer" as used herein; to change the classes of employments included within the provisions hereof; and to repeal any acts, or parts of acts, in conflict herewith.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. That the law as it appears in section six (e), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by striking from the sev-
4 enth (7) line thereof the words: "which is not unanimous".

1 SEC. 2. That the law as it appears in section six (i), chapter one
2 hundred two (102), Acts of the Forty-Seventh General Assembly of
3 Iowa, be and the same is hereby amended by striking therefrom lines
4 nineteen (19) and twenty (20) and to the period in line twenty-one
5 (21), and substituting for the lines so stricken the following: "addi-
6 tional evidence shall be heard. In the absence of fraud any finding of
7 fact by the commission, after notice and hearing as herein provided,
8 shall be binding upon the court on appeal, when supported by substan-
9 tial and competent evidence. The commission may also, in its discre-
10 tion, certify to such."

1 SEC. 3. That the law as it appears in section nineteen (f), chapter
2 one hundred two (102), Acts of the Forty-Seventh General Assembly
3 of Iowa, be and the same is hereby amended by adding thereto, at the
4 end thereof, and as subsection seven (7), the following:

5 "(7). Any employing unit which has in its employ any employee
6 who is not covered by the Unemployment Compensation Law of any
7 other state and which employee is subject to the Title IX Federal Social
8 Security Act."